

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

**OHIO SECURITY INSURANCE
COMPANY, et al.,**

Case No. 2:23-cv-01094-JAD-NJK

Plaintiffs,

ORDER

V.

[Docket No. 42]

HI-TECH AGGREGATE, LLC, *et al.*,

Defendants.

Pending before the Court is the parties' stipulation to extend case management deadlines by 90 days. Docket No. 42.

12 A request to extend unexpired deadlines in the scheduling order must be premised on a
13 showing of good cause. Fed. R. Civ. P. 16(b)(4); Local Rule 26-3. The good cause analysis turns
14 on whether the subject deadlines cannot reasonably be met despite the exercise of diligence.
15 *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992). This showing of
16 diligence is measured by the movant's conduct throughout the entire period of time already
17 allowed. See, e.g., *Muniz v. United Parcel Serv., Inc.*, 731 F. Supp. 2d 961, 967 (N.D. Cal. 2010).
18 If diligence is not established, the Court's inquiry should end. *Johnson*, 975 F.2d at 609 (internal
19 citation omitted).

20 Here, the parties have not demonstrated diligence. The parties submit that, now that
21 Plaintiffs' motion to stay discovery has been resolved, Plaintiffs' have agreed to supplement their
22 written discovery responses and proceed with the needed discovery. Docket No. 42 at 4.
23 Essentially, the parties granted themselves a stay of discovery pending resolution of Plaintiffs'
24 motion and now request a 90-day extension. Such conduct does not establish diligence.
25 Accordingly, the Court cannot find good cause for the extension request and the inquiry ends.

Given that this is the parties' first extension request, however, the Court will grant a 60-day extension as a one-time courtesy. During this time, the parties must diligently conduct

1 discovery. Accordingly, the stipulation to extend case management deadlines is **GRANTED** in
2 part and **DENIED** in part. Docket No. 42. The deadlines are **RESET** as follows:

Rebuttal Expert:	February 15, 2024
Discovery Cut-Off:	May 13, 2024
Dispositive Motions:	June 12, 2024
Joint Pretrial Order:	July 12, 2024, 30 days after the resolution of dispositive motions, or further Court order.

9 Pursuant to Local Rule 26-3, any request for extension of any deadline must be made no
10 later than 21 days prior to the expiration of the subject deadline and must be supported by good
11 cause.

IT IS SO ORDERED.

Dated: February 8, 2024

~~Nancy J. Koppe
United States Magistrate Judge~~